

## Message Text

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ORIGIN ARA-14

INFO OCT-01 ISO-00 DHA-02 PM-05 ACDA-07 DODE-00 H-01  
MC-02 EB-07 COME-00 SS-15 TRSE-00 OMB-01 L-03  
CIAE-00 INR-07 NSAE-00 INRE-00 SSO-00 AID-05  
IGA-02 SP-02 NSC-05 NSCE-00 /079 R

DRAFTED BY ARA/CEN:WMATTHEWS; D/HA:OJONES:BGT  
APPROVED BY ARA:TATODMAN  
PM/SAS:RTITUS (DRAFT)  
ACDA/IR/AT:LWATSON (DRAFT)  
D/HA:PDERIAN  
DOD/ISA:TAUSTIN  
H:CCUTTER:PM/MC;BFEMMINELLA  
ARA:GLISTER  
ARA:FDEVINE (SUBST.)  
ARA/RPP:SQUIGG (DRAFT)

-----002755 201906Z /50

O 201535Z JUL 77  
FM SECSTATE WASHDC  
TO AMEMBASSY MANAGUA IMMEDIATE

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E.O. 11652: N/A

TAGS: MASS, NU, SHUM, PFOR

SUBJECT: EXPORT LICENSES FOR SMALL ARMS AND AMMUNITION  
FOR THE PRIVATE MARKET AND STATUS OF OTHER  
ARMS TRANSFERS

REFS: A) MANAGUA 3115 B) MANAGUA 2867 C) STATE 110196  
D) USDAO MANAGUA DTG 191622Z MAY 77

1. SUMMARY: YOU ARE REQUESTED TO INFORM PRESIDENT SOMOZA  
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THAT EXPORT LICENSES FOR SMALL ARMS AND AMMUNITION FOR COM-  
MERCIAL RESALE ARE NOW BEING APPROVED BUT THAT COMMERCIAL  
MUNITIONS LIST AND FMS TRANSFERS FOR NATIONAL GUARD USE ARE  
STILL UNDER REVIEW. AT THE SAME TIME, YOU SHOULD RE-  
EMPHASIZE TO SOMOZA THE IMPORTANCE OF SUBSTANTIAL IMPROVE-  
MENT IN GON'S HUMAN RIGHTS PERFORMANCE IN THE CONSIDERA-  
TION OF U.S. SECURITY ASSISTANCE AND ARMS TRANSFERS FOR

NICARAGUAN SECURITY FORCES. END SUMMARY.

2. AS EMBASSY AND GON AWARE (REFS B AND C) DEPARTMENT HAS FOR SEVERAL MONTHS REFRAINED FROM APPROVING LICENSES FOR EXPORT OF SMALL ARMS AND AMMUNITION THROUGH THE NATIONAL GUARD FOR RESALE TO PRIVATE MERCHANTS AND INDIVIDUALS QUOTE FOR SPORTING PURPOSES AND PERSONAL DEFENSE UNQUOTE. SINCE CURRENTLY PENDING APPLICATIONS ARE FOR QUANTITIES SIMILAR

TO THOSE FOR A COMPARABLE PERIOD IN PREVIOUS YEARS (IMPLYING NO DIVERSION TO NATIONAL GUARD USE) AND SINCE THE EMBASSY HAS INDICATED (REF A) THAT THERE IS NO APPARENT POLICY OF PREVENTING SALES TO ANY PARTICULAR OPPOSITIONISTS OR OTHER GROUPS FROM NATIONAL GUARD RETAIL STORES, WE HAVE DECIDED THAT CURRENT CIRCUMSTANCES WILL PERMIT OUR APPROVAL OF THESE EXPORT LICENSE APPLICATIONS.

3. WE HAVE THEREFORE DECIDED TO REINSTITUTE APPROVAL OF EXPORT LICENSES FOR NORMAL SPORTING AND PERSONAL DEFENSE ARMS AND AMMUNITION TO THE NATIONAL GUARD FOR RESALE FOR THOSE PURPOSES TO THE PRIVATE SECTOR IF THE APPLICATIONS SPECIFY ONLY THAT DESTINATION AND PURPOSE. WE WILL APPROVE SUCH LICENSES FOR REASONABLE AMOUNTS OF ARMS AND AMMUNITION WHICH MAY BE SUBMITTED IN THE FUTURE IF THERE IS NO INDICATION OF MISREPRESENTATION AND CURRENT CONDITIONS DO NOT DETERIORATE. WHERE LICENSE APPLICATIONS ARE LIMITED OFFICIAL USE

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UNCLEAR OR MIX ITEMS FOR THE USE OF THE NATIONAL GUARD WITH ITEMS FOR RESALE, WE WILL REQUEST THE APPLICANT TO SEPARATE THE REQUESTS OR TO CLARIFY.

4. EXPORT LICENSE APPLICATIONS FOR DEFENSE ARTICLES ON THE MUNITIONS LIST FOR THE USE OF THE NATIONAL GUARD WILL NOT BE APPROVED PENDING A REVIEW OF OUR ARMS EXPORT AND FMS POLICY TOWARD NICARAGUA WHICH IS PRESENTLY UNDERWAY. THAT REVIEW WILL ALSO CONSIDER FY 77 FMS LOAN AGREEMENTS, BUT WILL NOT REPEAT NOT ADDRESS THE QUESTION OF SIGNATURE OF AN FY 78 FMS FINANCING AGREEMENT, SINCE FY 78 SECURITY ASSISTANCE LEGISLATION IS PRESENTLY BEFORE CONGRESS.

5. CHARGE IS INSTRUCTED TO ORALLY INFORM PRESIDENT SOMOZA, IN RESPONSE TO HIS REQUEST FOR INFORMATION (REF B), THAT EXPORT LICENSES FOR CUSTOMARY TYPES AND AMOUNTS OF MUNITIONS TO THE NATIONAL GUARD FOR RESALE FOR SPORTING AND PERSONAL DEFENSE PURPOSES ARE ONCE AGAIN BEING APPROVED AFTER COMPLETION OF A DEPARTMENTAL REVIEW SINCE WE UNDERSTAND SALES ARE MADE ON A NON-DISCRIMINATORY BASIS. CHARGE SHOULD CONTINUE THAT EXPORTERS FOR WHOM SUCH LICENSES MAY HAVE BEEN DENIED WILL BE ADVISED TO RESUBMIT

THEM. YOU SHOULD NOTE THAT SINCE EXPORT LICENSES FOR MUNITIONS LIST ITEMS AND DEFENSE ARTICLES FOR THE USE OF THE NATIONAL GUARD ARE STILL UNDER REVIEW ALONG WITH SALES UNDER THE FMS PROGRAM, EXPORTERS SHOULD SEPARATE THE TWO CATEGORIES OF WEAPONS ON THEIR LICENSE APPLICATIONS.

6. YOU SHOULD ADD THAT THE DEPARTMENT HAS NOTED A RECENT DIMINUTION OF ALLEGATIONS OF HUMAN RIGHTS VIOLATIONS BY THE NATIONAL GUARD AND HAS RECEIVED THE EMBASSY'S REPORTS OF HIS PERSONAL CONCERN THAT THE NATIONAL GUARD IMPROVE ITS PERFORMANCE IN REGARD TO THE HUMAN RIGHTS OF THOSE SUSPECTED OR ACCUSED OF SUBVERSIVE ACTIVITIES. HE SHOULD BE REMINDED THAT BOTH LEGISLATION AND USG POLICY DICTATE THAT HUMAN RIGHTS PERFORMANCE BY GOVERNMENTS BE LIMITED OFFICIAL USE

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GIVEN GREAT WEIGHT IN MAKING DECISIONS ON BOTH FMS AND COMMERCIAL ARMS TRANSFERS. YOU MAY CONCLUDE THAT THIS CONSIDERATION IS OF PRIME IMPORTANCE IN THE REVIEW OF PRE-1978 FMS FINANCING AND ARMS TRANSFERS FOR THE USE OF THE NATIONAL GUARD NOW UNDERWAY, AND THAT IF FY 78 SECURITY ASSISTANCE FOR NICARAGUA IS APPROVED BY THE SENATE, WE ARE COMMITTED TO CONGRESS TO JOINTLY CONSULT AND TO DETERMINE THAT THERE HAS BEEN IMPROVEMENT PRIOR TO SIGNING AN FY 78 AGREEMENT. CLEAR AND UNAMBIGUOUS ACTIONS SUCH AS DISSOLUTION OF THE STATE OF SEIGE AND EITHER RELEASE OR PROMPT PROSECUTION IN A PUBLIC FORUM OF DETAINEES WOULD BE INTERPRETED FAVORABLY BY THE ADMINISTRATION AND CONGRESS AS WELL AS BY OTHERS CONCERNED WITH HUMAN RIGHTS. VANCE

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01-Jan-1994 12:00:00 am  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
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**Disposition Date:** 22 May 2009  
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**Disposition History:** n/a  
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**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
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**Original Previous Classification:** n/a  
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**To:** MANAGUA  
**Type:** TE  
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**Review Markings:**  
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